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September 11, 2000

Mr. Donald Hesler
Division of Environmental Remediation
New York State Department of Environmental
Conservation
50 Wolf Road
Albany, NY 12233

Re: *Supplemental Request for Information: Syracuse China Company*

Dear Mr. Hesler:

Enclosed is the response to the Supplemental Request for Information on the Onondaga Lake Superfund Site, Onondaga County, New York (hereinafter referred to as the "Site"), dated July 26, 2000, addressed to me and issued by the United States Environmental Protection Agency (hereinafter referred to as "EPA") and the New York State Department of Environmental Conservation (hereinafter referred to as "DEC") concerning the facilities of the Syracuse China Company.

As was explained in the Response to Information, submitted under cover of my letter on behalf of Syracuse China Company to William Daigle, P.E., dated December 24, 1996, only the assets directly involved in the operations at 2900 Court Street, Syracuse, New York, were purchased in 1995 by L.G. Acquisition Corp., now named Syracuse China Company (hereinafter referred to as "SCC"). Therefore, because neither SCC nor any affiliate of it owns, leases, controls, uses or operates any other lands, buildings or locations within a fifty-mile radius of Onondaga Lake in Syracuse, New York, and has never done so, the response of SCC relates solely to the operations of the facility located at the 2900 Court Street address (hereinafter referred to as the "Facility").

In a letter dated June 23, 1997, EPA and DEC alleged that "there is or has been a release or threat of release of hazardous substances, pollutants or

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contaminants" from the Ley Creek PCB Dredgings Site (hereinafter referred to as the "Dredgings Site") into Ley Creek. The June 23, 1997 letter goes on to state that the two agencies consider the Dredgings Site to be a sub-site within the Site and that there is reason to believe that SCC is a "potentially responsible party for the Site with respect to the release or threat of release of hazardous substances and/or hazardous waste" at the Dredgings Site. The letter, which notifies SCC of its "potential liability with regard to the Site" and encourages the voluntary performance of response activities at the Dredgings Site, refers to responsibility under federal and state law for parties which are current or past owners or operators of a facility from which there is or has been a release of hazardous substances into the environment, or where the threat of a release of hazardous substances exists, as well as parties which arranged for the disposal or treatment of hazardous substances that came to be disposed at a site.

SCC is not a potentially responsible party for the Dredgings Site or for the Site with respect to the release or threat of release of hazardous substances and/or hazardous waste at the Dredgings Site based upon the following set of facts:

- ❖ SCC is not now, and never has been, the owner of property on the bank of or bordering the Dredgings Site — thus, SCC is not a current or a past owner
- ❖ Inasmuch as industrial wastewater containing lead from the operations of the Facility has been pretreated and discharged to the Onondaga County public sewer system since before SCC acquired the Facility, SCC has never discharged hazardous substances as part of its State Pollutant Discharge Elimination System discharge permit; further, SCC is unaware of any release of hazardous substances from the Facility which came to be disposed at the Dredgings Site or at the Site and is unaware that any threat of such a release exists — thus, SCC is not subject to operator or arranger liability
- ❖ In addition to never owning or operating, or arranging for the disposal of hazardous substances at, the Dredgings Site, SCC understands that Remediation and Liability Management

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Company, Inc., a wholly-owned subsidiary of General Motors Corporation, acquired all or a portion of the Dredgings Site and is performing response activities at the Dredgings Site under an order issued by DEC – such action renders moot the previous invitation from EPA and DEC that SCC perform response activities at the Dredgings Site

Therefore, since SCC does not fall within the categories of responsible parties under the Comprehensive Environmental Response, Compensation and Liability Act or under analogous provisions of the New York State Environmental Conservation Law or the rules and regulations promulgated pursuant thereto, SCC bears no liability for the Dredgings Site or for the Site with respect to the release or threat of release of hazardous substances and/or hazardous waste at the Dredgings Site. If you or other representatives of DEC or EPA have any questions regarding this issue, those questions should be directed to me.

SCC reserves the right to supplement this response if relevant information not known or not available to SCC as of the date of this submission should later become known or available.

This response in no way represents an acknowledgment of liability for costs for response activities or other costs incurred or to be incurred at the Onondaga Lake Superfund Site, its tributaries or to any of the sub-sites, with any such liability expressly denied. Further, SCC reserves the right to contest any allegation that it is in any way responsible for the Site, and in addition, this response in no way waives any rights to which SCC may be entitled under law.

If you have any questions regarding this response, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, reading "John L. Greenthal". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John L. Greenthal

JLG:rav

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cc: Mr. Robert Nunes
Remedial Project Manager
United States Environmental Protection Agency
290 Broadway, 20th Floor
New York, NY 10007-1866

TAMS Consultants, Inc.
Attn: Mr. Michael L. Spera, P.E.
655 Third Avenue
New York, NY 10017

George A. Shanahan, Esq.
Assistant Regional Counsel
United States Environmental Protection Agency
290 Broadway, 17th Floor
New York, NY 10007-1866

Carol Conyers, Esq.
New York State Department of Environmental Conservation
Onondaga Lake Unit
50 Wolf Road, Room 410A
Albany, NY 12233-5550

Syracuse China Company
Response to Supplemental Request for Information
Onondaga Lake Superfund Site, Onondaga County, New York

Because only the assets directly involved in the operations at 2900 Court Street, Syracuse, New York were purchased in 1995 by L.G. Acquisition Corp., now named Syracuse China Company (hereinafter referred to as "SCC"), and because neither SCC nor any affiliate of it owns, leases, controls, uses or operates any other lands, buildings or locations within a fifty-mile radius of Onondaga Lake in Syracuse, New York, and has never done so, this response is submitted solely on behalf of SCC and relates solely to the operations of the facility located at the 2900 Court Street address (hereinafter referred to as the "Facility"). No representations are made with respect to any other facilities or operations.

Accordingly, SCC objects to any portion of the Supplemental Request for Information dated July 26, 2000 from representatives of the U.S. Environmental Protection Agency (hereinafter referred to as "EPA") and the New York State Department of Environmental Conservation (hereinafter referred to as "DEC") to the extent that it seeks information or documents not within the reasonable possession, custody or control of SCC. This includes any requests which would seek to create a duty on SCC to seek out responsive information from employees or agents of third parties.

SCC also objects to any portion of the Supplemental Request for Information to the extent it seeks information or documents which are protected by an applicable privilege, including, but not limited to, the attorney-client or attorney work product privileges.

SCC objects to Questions 5-11 contained in the document entitled "Request for Information" that is an enclosure to the letter dated June 19, 1996 from representatives of EPA and DEC insofar as each request is vague, overly broad, unduly burdensome and does not relate to the Site. SCC also objects to Instruction 8 in the enclosure to such letter that is entitled "Instructions for Responding to Request for Information" to the extent that it calls for estimates or approximations.

As noted in the instructions of the above-mentioned Supplemental Request for Information, SCC incorporates by reference in this response documents previously submitted to DEC.

1. In regard to Response 9, where does facility storm water discharge to?

In addition to the general objections raised above, SCC objects to this question as being outside of the scope of question 9 in the Request for Information transmitted by DEC and EPA. SCC does not consider storm water to be a "hazardous substance, hazardous waste or industrial waste, as those terms are defined" in the above-mentioned Request for Information or in the Supplemental Request for Information dated July 26, 2000, transmitted by DEC and EPA. Nevertheless,

without waiving the general and specific objections raised above, SCC responds as follows:

All stormwaters from the Facility discharge to Ley Creek. Some Facility stormwaters associated with industrial activity combine with stormwater from the Village of Lyncourt before discharging to Ley Creek.

The source of the information is DEC State Pollutant Discharge Elimination System Permit Number NY-0100137 and SCC.

2. In regard to Response 7, please provide information on the pre-1985 fate of the types of wastes that were included in the 1985, 1986, and 1987 Generator Annual Reports.

Without waiving the general objections raised above, SCC responds as follows:

See attached spreadsheet page 000009, detailing the pre-1985 fate of wastes back to 1981, the earliest date for which SCC has records.

The source of the information is SCC.

3. In regard to Response 9, please submit the December 2, 1983 letter from Syracuse China to the New York State Attorney General's Office.

Without waiving the general objections raised above, SCC responds as follows:

See attached letter, pages 000010-000011.

The source of the information is SCC.

4. In regard to Responses 9 and 10, when were the settling ponds installed? Furthermore, where did the wastes that were discharged to the settling ponds go prior to the construction of the ponds?

Without waiving the general objections raised above, SCC responds as follows:

The installation of the settling ponds predates SCC's ownership of the Facility. SCC has not located information necessary to answer the questions regarding the date of installation of the settling ponds or regarding where discharged wastes went prior to the construction of the ponds.

5. In regard to Response 14, please provide a list of insurance companies and the years of coverage.

Without waiving the general objections raised above, SCC responds as follows:

SCC reiterates its earlier objection to this question as irrelevant and burdensome. SCC has not claimed an inability to pay. Therefore, SCC regards such insurance information as irrelevant to the issues addressed in the Request for Information and the Supplemental Request for Information. SCC reserves the right to provide such information in the event that it becomes relevant.

In a letter dated June 23, 1997, EPA and DEC alleged that "there is or has been a release or threat of release of hazardous substances, pollutants or contaminants" from the Ley Creek PCB Dredgings Site (hereinafter referred to as the "Dredgings Site") into Ley Creek. The June 23, 1997 letter goes on to state that the two agencies consider the Dredgings Site to be a sub-site within the Onondaga Lake Superfund Site (hereinafter referred to as the "Site") and that there is reason to believe that SCC is a "potentially responsible party for the Site with respect to the release or threat of release of hazardous substances and/or hazardous waste" at the Dredgings Site. The letter, which notifies SCC of its "potential liability with regard to the Site" and encourages the voluntary performance of response activities at the Dredgings Site, refers to responsibility under federal and state law for parties which are current or past owners or operators of a facility from which there is or has been a release of hazardous substances into the environment, or where the threat of a release of hazardous substances exists, as well as parties which arranged for the disposal or treatment of hazardous substances that came to be disposed at a site.

SCC is not a potentially responsible party for the Dredgings Site or for the Site with respect to the release or threat of release of hazardous substances and/or hazardous waste at the Dredgings Site based upon the following set of facts:

- ❖ SCC is not now, and never has been, the owner of property on the bank of or bordering the Dredgings Site — thus, SCC is not a current or a past owner
- ❖ Inasmuch as industrial wastewater containing lead from the operations of the Facility has been pretreated and discharged to the Onondaga County public sewer system since before SCC acquired the Facility, SCC has never discharged hazardous substances as part of its State Pollutant Discharge Elimination System discharge permit; further, SCC is unaware of any release of hazardous substances from the Facility which came to be disposed at the Dredgings Site or at the Site and is unaware that any threat of such a release exists — thus, SCC is not subject to operator or arranger liability
- ❖ In addition to never owning or operating, or arranging for the disposal of hazardous substances at, the Dredgings Site, SCC understands that Remediation and Liability Management Company, Inc., a wholly-owned subsidiary of General Motors Corporation, acquired all or a portion of the Dredgings Site and is performing response activities at the Dredgings Site under an order issued by DEC — such action renders moot the previous invitation from EPA and DEC that SCC perform response activities at the Dredgings Site.

Therefore, since SCC does not fall within the categories of responsible parties under the Comprehensive Environmental Response, Compensation and Liability Act or under analogous provisions of the New York State Environmental Conservation Law or the rules and regulations promulgated pursuant thereto, SCC bears no liability for the Dredgings Site or for the Site with respect to the release or threat of release of hazardous substances and/or hazardous waste at the Dredgings Site.

CELL	DATE	MANIFEST	DISPOSAL FACILITY	DISPOSAL FACILITY ID. NUMBER	TRANSPORTER	TRANSPORTER ID. NUMBER	STREAM	POUNDS	CODES
5	04-Apr-81	88280	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FLAM. LIQUID	1700	D001
6	14-Aug-81	88481	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FLAM. LIQUID	1700	D001
7	09-Oct-81	88485	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FLAM. LIQUID	1700	D001
8	01-Dec-81	98223	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FLAM. LIQUID	1700	D001
9	11-Feb-82	98788	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FLAM. LIQUID	1700	D001
10	04-Apr-82	NY 157781 6	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	CONTRACT INDUSTRIAL WAREHOUSING	NYT370010008	RAGS, FLAM.SOLID	400	D001
11	06-Apr-82	NY 157781 6	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	CONTRACT INDUSTRIAL WAREHOUSING	NYT370010008	FLAM. LIQUID	1700	D001
12	03-Jun-82	NY 157711 5	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	CONTRACT INDUSTRIAL WAREHOUSING	NYD043815700	FLAM. LIQUID	1700	D001
13	03-Jun-82	NY 157711 5	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	CONTRACT INDUSTRIAL WAREHOUSING	NYD043815700	RAGS, FLAM.SOLID	400	D001
14	09-Jul-82	NY 157712 4	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FLAM. LIQUID	1700	D001
15	09-Aug-82	NY 157713 3	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	FRONTIER CHEMICAL WASTE PROCESS INC.	NYD043815700	RAGS, FLAM.SOLID	400	D001
16	09-Mar-83	NY 157714 2	CECOS INTERNATIONAL	NYD0800304241	LEASERWAY MAILERS INC.	NYD077291284	STILL BOTTOMS	1800	D008
17	28-Dec-83	NY 215471 7	CECOS INTERNATIONAL	NYD0800304241	D&J TRANS. SPECIALISTS, INC.	NYD080658846	STILL BOTTOMS	1800	D008
18	22-Mar-84	NY 215485 2	CECOS INTERNATIONAL	NYD0800304241	D&J TRANS. SPECIALISTS, INC.	NYD080658846	STILL BOTTOMS	1800	D008
19	26-Apr-84	NY 215484 2	CECOS INTERNATIONAL	NYD0800304241	CECOS INTERNATIONAL	NYD0800304241	STILL BOTTOMS	1800	D008
20	12-Jul-84	NY 305138 7	SCA CHEMICAL SERVICES	NYD0418036679	SCA CHEMICAL SERVICES	NYD0418036679	STILL BOTTOMS	1800	D008
21	15-Aug-84	NY 305139 8	SCA CHEMICAL SERVICES	NYD0418036679	TONAWANDA TANK TRANSPORT	NYD081644181	STILL BOTTOMS	1800	D008
22	16-Sep-84	NY 306327 8	CHEMICAL WASTE MANAGEMENT, INC.	ALD0000622444	ASHLAND CHEMICAL CO.	NYD080579410	STILL BOTTOMS	1800	D008

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SYRACUSE CHINA CORPORATION

P.O. BOX 4820
SYRACUSE, N.Y. 13221-0820 (315) 455-8671

December 2, 1983

Dean S. Sommer, Esq.
Assistant Attorney General
Environmental Protection Bureau
State of New York
Albany, New York 12224

Re: Solvent Savers, Inc.
- November 2, 1983 Demand upon Syracuse China
Corporation under Article 27, Title 13 of
the ECL

Dear Mr. Sommer:

In accordance with the agreement reached between you and our counsel, revising the referenced demand, there follows our answers to the inquiries set forth in our counsel's letter to you of November 18, 1983:

Q.1. Any information in Syracuse China's possession regarding a Mr. Thomas Galloway, who apparently had some connection with Mr. Dale Hough, Solvent Savers, Inc. or Cash Barrell Company.

A.1. Syracuse China has no information regarding Thomas Galloway. We came to this conclusion after reviewing our business records and interviewing our personnel who might have had some knowledge as to this matter.

Q.2. A list of hazardous wastes generated by Syracuse China for the period of 1970-1973, the disposal site(s) of these wastes and the person(s) who transported the wastes.

A.2. The only hazardous wastes generated by Syracuse China during the referenced period were waste lacquer thinner and work rags soaked with the thinner. These wastes were ignitable within the meaning of current federal and state hazardous waste regulations.

There was no off-site disposal of these wastes. The materials were disposed of on-site by burning and the residues were discarded in an on-site landfill. This means of disposal has since been discontinued.

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Syracuse China now operates a still to reclaim all lacquer thinner. The sludge residue from this still, along with soiled work rags and other precipitated solids, is transported by Environmental Oil Inc. to SEA Chemical Services, Inc. in Model City, New York for disposal.

Very truly yours,

SYRACUSE CHINA CORPORATION

A handwritten signature in dark ink, appearing to read "William C. Fenn". The signature is fluid and cursive, with a large, stylized "F" at the end.

William C. Fenn
Vice President of Manufacturing

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New York

County of Onondaga

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to Supplemental Request) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to the Joint Request(s) for Information if any additional information relevant to the matters addressed therein or the company's response thereto should become known or available to the company.

John L. Shaffer
NAME (print or type)

Plant Controller
TITLE (print or type)

John L. Shaffer
SIGNATURE

Sworn to before me this

4th day of September, 2000.

Terri L. Case 9/7/00
Notary Public

TERRI L. CASE
Notary Public, State of New York
Qualified in Onondaga County
No. 01CA6014868
Commission Expires October 18, 2008